

SENATE BILL 2110

By Crowe

AN ACT to amend Chapter 135 of the Acts of 1903; as amended by Chapter 67 of the Private Acts of 1913; Chapter 123 of the Private Acts of 1919; Chapter 150 of the Private Acts of 1921; Chapter 788 of the Private Acts of 1921; Chapter 24 of the Private Acts of 1983; Chapter 250 of the Private Acts of 1992; Chapter 35 of the Private Acts of 1993; Chapter 31 of the Private Acts of 1997; Chapter 30 of the Private Acts of 1997; Chapter 9 of the Private Acts of 1999; Chapter 52 of the Private Acts of 2003; and any other acts amendatory thereto, relative to the Charter of the Town of Jonesborough.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, Chapter 9 of the Private Acts of 1999, and any other acts amendatory thereto, is amended by adding the following language after Section 2:

Section 2(a).

(1) Subject to the further provisions of this section, the Board of Mayor and Alderman is authorized, upon its own initiative and upon the adoption of an ordinance by two-thirds (2/3) vote at two (2) separate meetings, to call for a referendum to establish term limits for the Mayor and Board of Mayor and Aldermen as designated herein below. In the absence of an ordinance as described above, the citizens of the Town of Jonesborough may place the subject of term limits for the Mayor and Board of Mayor and Aldermen on a referendum ballot as designated herein below.

(2) Upon receipt of an ordinance calling for a referendum or of a petition referencing this section and setting it out verbatim, containing the signature of ten percent (10%) of the voters in the last mayoral election in the Town of

Jonesborough, the County Election Commission shall hold an election on the question providing options to vote “for” or “against” the referendum for term limits as provided in this Charter, and a majority vote of those voting in the election shall determine whether the ordinance is to be operative. Any such election is to be held in conjunction with the next regularly scheduled municipal election of the Town of Jonesborough.

(3) If the majority vote is for the referendum, it shall be deemed to be operative on the date the County Election Commission makes its official canvas of the election returns and certifies the same; provided, however, that term limits shall not apply until an election of the Mayor and Board of Mayor and Aldermen is held after term limits are operative. If the majority vote is against the referendum, no such referendum shall be placed on another ballot for a period of four (4) years.

(4) Any such term limits adopted under subdivision (A) or subdivision (B) of this Section 2(a) shall be as follows:

(i) Anyone serving as Mayor shall be limited to four (4) consecutive terms. This shall not prohibit any person from running for office after any number of “nonconsecutive” terms.

(ii) Anyone running for Alderman shall be limited to two (2) consecutive terms. This shall not prohibit any person from running for office after any number of “non-consecutive” terms.

Section 2(b). The Board of Mayor and Aldermen shall exercise its powers in session duly assembled, and no member or group of members thereof shall exercise or attempt to exercise the powers conferred upon the Board, except through proceedings adopted at some regular or special session.

Section 2(c). Whenever in the opinion of the Mayor, Vice-Mayor (in the Mayor’s absence), or any two (2) Aldermen and the Town Administrator, the welfare of the Town demands it, the Mayor or the Town Administrator shall call a special meeting of the Board of Mayor and Aldermen upon at least forty-eight (48) hours written notice to each

member of the Board of Mayor and Aldermen, the Town Attorney, Town Recorder and Town Attorney, served personally or left at such person's usual place of residence. Each call for a special meeting shall set forth the character of the business to be discussed at such meeting and no other business shall be considered at such meeting.

SECTION 2. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, Chapter 52 of the Private Acts of 2003, and any other acts amendatory thereto, is amended by deleting Section 3 and substituting instead the following:

Section 3. That the Mayor shall hold office for a term of two (2) years and until the Mayor's successor shall be elected and qualified. No person shall be elected a Mayor who is not at the time a citizen of the State of Tennessee, a qualified voter and for one (1) year next before the election a bona fide resident in the town. The Mayor may fill all vacancies occurring in offices, except that of Alderman, until such vacancies are filled in the manner provided by this act. It shall be the duty of the Mayor to preside at all meetings of the board but the Mayor will not be permitted to vote for any officer or agent, nor upon any measures, propositions or ordinances before the board, except in the case of a tie, and the Mayor shall then give the deciding vote. In the event the Mayor is absent or does not preside, and in the absence of the Vice-Mayor, such member of the Board of Aldermen shall preside as they may determine by majority vote or ordinance. It shall be the duty of the Mayor to see that all ordinances and laws of the town are duly enforced, observed and obeyed, and the Mayor shall, on application, instruct officers in their duties. Before assuming the duties of office the Mayor shall take an oath to faithfully demean himself or herself in office and discharge duties thereof. It shall be the Mayor's duty from time to time to lay before the Board of Aldermen in writing all matters the Mayor may deem it important to have acted upon, and to call special sessions of the Board of Aldermen whenever the Mayor may deem it necessary and expedient, at which special sessions no other business than that for which the session is called shall be transacted.

For any malfeasance or misfeasance in this office, the Mayor shall be subject to being charged by the Board of Aldermen, and fined and dismissed from office, as the

Aldermen may in their wisdom determine for the best; and on such trial the Aldermen shall elect by ballot one (1) of their number to preside, and all shall take an oath to faithfully and impartially try and render judgment on such trial.

The Mayor may be removed from office by the Board of Mayor and Aldermen without cause after missing more than three (3) consecutive regular meetings of the Board of Mayor and Aldermen, upon a majority vote of the other members of the Board voting for such removal. The proceedings for such removal shall be on specific charges in writing as adopted by a majority of the Board, with notice stating the time and place of the hearing to be served on the accused or published at least three (3) times on three (3) successive days in a daily newspaper circulating in the town. The hearing under this section shall be public and the accused shall have the right to appear and defend in person or by counsel and have process of the Board to compel the attendance of witnesses in the accused's behalf. Such approach shall be determined by roll call vote.

Immediately upon the vote for removal, the term of the accused shall expire and the accused's official status, power and authority shall cease without further action.

SECTION 3. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, Chapter 52 of the Private Acts of 2003, and any other acts amendatory thereto, is amended by adding the following language after Section 3:

Section 3(a). The Board shall elect an Alderman to the office of Vice Mayor, who shall serve as Mayor when the Mayor is absent or unable to discharge the duties of the Mayor's office, and, in case of a vacancy in the office of Mayor, until the next regular municipal election.

SECTION 4. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, Chapter 250 of the Private Acts of 1992, Chapter 9 of the Private Acts of 1999, and any other acts amendatory thereto, is amended by deleting Section 4 and substituting instead the following:

Section 4. That no person shall be an Alderman unless they are a citizen of the State of Tennessee, a qualified voter, and for one (1) year next before their election a bona fide resident in the town. Before entering on the duties of his office, each

Alderman shall take an oath to faithfully demean himself in office and discharge the duties thereof. Unless otherwise designated by ordinance, the Board of Aldermen shall have full power and authority to appoint all offices, department heads and employees of the corporation as they deem necessary, and to fix their compensation as prescribed in this act, and they, or their designee, shall have the authority to, in accordance with personnel policies and procedures adopted by the board, to promote, discipline, suspend and discharge any officer, department head or employee they appoint.

All vacancies in the Board of Mayor and Aldermen shall be filled for the unexpired term by a majority vote of the remaining Board of Mayor and Aldermen, and for the purpose of this provision only the Mayor and two (2) of the remaining Aldermen shall qualify as a quorum. Three (3) aldermen shall constitute a quorum to transact other business, and Aldermen shall hold their office for four (4) years and until their successors are elected and qualified. Every alderman guilty of malfeasance or misfeasance in office shall be subject to be charged and to appear for a hearing before the Board of Aldermen and fined or dismissed from office, as in their wisdom the Board of Aldermen may deem for the best, and at such hearing the Mayor shall preside, and shall cast a vote. Before entering on such hearing each Alderman and the Mayor shall take an oath to faithfully and impartially try the accused and pass judgment.

The Aldermen may be removed from office by the Board of Mayor and Aldermen without cause after missing more than three (3) consecutive regular meetings of the Board of Mayor and Aldermen, upon a majority vote of the other members of the Board voting for such removal. The proceedings for such removal shall be on specific charges in writing, with notice stating the time and place of the hearing to be served on the accused, or published at least three (3) times on three (3) successive days in a daily newspaper circulating in the town. The hearing shall be public and the accused shall have the right to appear and defend in person or by counsel and have process of the Board to compel the attendance of witnesses in the accused's behalf. Such approach shall be determined by roll call vote.

Immediately upon the vote for removal, the term of the accused shall expire and the accused's official status, power and authority shall cease without further action.

SECTION 5. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, Chapter 250 of the Private Acts of 1992, Chapter 9 of the Private Acts of 1999, and any other acts amendatory thereto, is amended by deleting the language "City Administrator" and substituting instead the language "Town Administrator".

SECTION 6. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, Chapter 250 of the Private Acts of 1992, and any other acts amendatory thereto, is amended by adding the following language at the end of Section 4(a):

(8) If the Town Administrator resigns, such person must give three (3) months' notice unless waived by the Board of Mayor and Aldermen. If such notice is given or waived by the Board of Mayor and Aldermen, the Town Administrator shall be entitled to receive a minimum severance payment of one (1) week salary per year of service in the position as Town Administrator. This amount shall not be paid if the Board determines by majority vote that the Town Administrator has been guilty of embezzlement, misuse of town funds or property, malfeasance in office or has quit without giving appropriate notice. Nothing in this section will prohibit the Board of Mayor and Aldermen from contracting for additional severances or benefits with the Town Administrator.

SECTION 7. Chapter 135 of the Acts of 1903, as amended by Chapter 67 of the Private Acts of 1913, Chapter 123 of the Private Acts of 1919, Chapter 150 of the Private Acts of 1921, Chapter 788 of the Private Acts of 1921, Chapter 24 of the Private Acts of 1983, Chapter 31 of the Private Acts of 1997, and any other acts amendatory thereto, is amended by deleting Section 5 and substituting instead the following:

Section 5. That the Board of Mayor and Aldermen of Jonesborough shall have full power and authority within the town to:

(1) Assess, levy and collect taxes for all general and special purposes on all subjects or objects of taxation, and privileges taxable by law for state, county or municipal purposes;

(2) Adopt classifications of the subjects and objects of taxation that are not contrary to law;

(3) Make special assessments for local improvements;

(4) Contract and be contracted with;

(5) Incur debts by borrowing money or otherwise, and give any appropriate evidence thereof, in the manner provided for in this section;

(6) Issue and give, sell, pledge or in any manner dispose of, negotiable or nonnegotiable interest-bearing or noninterest-bearing bonds in accordance with Tennessee Code Annotated, Title 9, Chapter 21, warrants, promissory notes or orders of the municipality, upon the credit of the municipality or solely upon the credit of specific property owned by the municipality or solely upon the credit of income derived from any property used in connection with any public utility owned or operated by the municipality, or solely upon the credit of the proceeds of special assessments for local improvements, or upon any two (2) or more such credits;

(7) Expend the money of the municipality for all lawful purposes;

(8) Acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge or otherwise dispose of property, real or personal, and any estate or interest therein, within or without the municipality or state;

(9) Condemn property, real or personal, or any easement, interest, or estate or use therein, either within or without the municipality, for present or future public use; the condemnation shall be effected in accordance with the terms and provisions of Tennessee Code Annotated, Title 29, Chapter 16, or in any other manner provided by law;

(10) Take and hold property within or without the municipality or state upon trust, and administer trusts for the public benefit;

(11) Acquire, construct, own, operate and maintain, or sell, lease, mortgage, pledge or otherwise dispose of public utilities or any estate or interest

therein, or any other utility that is of service to the municipality, its inhabitants, or any part of the municipality, and further, may issue debt for these purposes;

(12) Grant to any person, firm, association or municipality, franchises for public utilities and public services to be furnished the municipality and those in the municipality. The power to grant franchises embraces the power to grant exclusive franchises to the extent authorized by statute or federal law. When an exclusive franchise is granted, it shall be exclusive not only as against any other person, firm, association, or corporation, but also against the municipality itself. Franchises may be granted for a period of twenty-five (25) years or less, but not longer. The board may prescribe, in each grant of a franchise, the rates, fares, charges and regulations that may be made by the grantee of the franchise in accordance with state and federal law. Franchises may by their terms apply to the territory within the corporate limits of the municipality at the date of the franchises, and as the corporate limits may be enlarged, and to the existing streets, alleys and thoroughfares that may be opened after the grant of the franchise;

(13) Make contracts with any person, firm, association or corporation for public utilities and public services to be furnished the municipality and those in the municipality. The power to make contracts embraces the power to make exclusive contracts. When an exclusive contract is entered into, it shall be exclusive against any other person, firm, association or corporation. These contracts may be entered into for a period of twenty-five (25) years or less, but not longer. The board may prescribe in each such contract entered into the rates, fares, charges, and regulations that may be made by the person, firm, association or corporation with whom the contract is made. Such contracts may by their terms apply to the territory within the corporate limits of the municipality at the date of the contract, and as the corporate limits may be enlarged, and to the then existing streets, alleys and thoroughfares and to any other streets, alleys and other thoroughfares that may be opened after the grant of the contract;

(14) Prescribe reasonable regulations regarding the construction, maintenance, equipment, operation and service of public utilities, compel reasonable extensions of facilities for these services. Nothing in this subdivision (14) shall be construed to permit the alteration or impairment of any of the terms or provisions of any exclusive franchise granted or of any exclusive contract entered into under subdivisions (12) and (13);

(15) Establish, open, relocate, vacate, alter, widen, extend, grade, improve, repair, construct, reconstruct, maintain, light, sprinkle and clean public highways, streets, boulevards, parkways, sidewalks, alleys, parks, public grounds, public facilities, libraries and squares, wharves, bridges, viaducts, subways, tunnels, sewers and drains within or without the corporate limits, regulate their use within the corporate limits, and take and appropriate property therefor under the provisions of Tennessee Code Annotated, Section 7-31-107 -- Tennessee Code Annotated, Section 7-31-111 and Tennessee Code Annotated, Section 29-16-114, or any other manner provided by the general law;

(16) Construct, improve, reconstruct and reimprove by opening, extending, widening, grading, curbing, guttering, paving, graveling, macadamizing, draining or otherwise improving any streets, highways, avenues, alleys or other public places within the corporate limits, and assess a portion of the cost of these improvements on the property abutting on or adjacent to these streets, highways or alleys under, and as provided by, Tennessee Code Annotated, Title 7, Chapters 32 and 33;

(17) Assess against abutting property within the corporate limits the cost of planting shade trees, removing from sidewalks all accumulations of snow, ice and earth, cutting and removing obnoxious weeds and rubbish, street lighting, street sweeping, street sprinkling, street flushing, and street oiling, the cleaning and rendering sanitary or removing, abolishing and prohibiting of closets and privies, in such manner as may be provided by general law or by ordinance of the board;

(18) Acquire, purchase, provide for, construct, regulate and maintain and do all things relating to all marketplaces, public buildings, bridges, sewers and other structures, works and improvements;

(19) Collect and dispose of drainage, sewage, ashes, garbage, refuse or other waste, or license and regulate their collection and disposal. The cost of collection, regulation or disposal may be funded by taxation, special assessment to the property owner, user fees or other charges;

(20) License and regulate all persons, firms, corporations, companies and associations engaged in any business, occupation, calling, profession or trade not prohibited by law;

(21) Impose a license tax upon any animal, thing, business, vocation, pursuit, privilege or calling not prohibited by law;

(22) Define, prohibit, abate, suppress, prevent and regulate all acts, practices, conduct, businesses, occupations, callings, trades, uses of property and all other things whatsoever detrimental, or liable to be detrimental, to the health, morals, comfort, safety, convenience or welfare of the inhabitants of the municipality, and exercise general police powers;

(23) Prescribe limits within which business occupations and practices liable to be nuisances or detrimental to the health, morals, security or general welfare of the people may lawfully be established, conducted or maintained;

(24) Inspect, test, measure and weigh any article for consumption or use within the municipality, and charge reasonable fees therefor, and provide standards of weights, tests and measures in such manner as provided by general law;

(25) Regulate the location, bulk, occupancy, area, lot, location, height, general construction and materials of all buildings and structures in accordance with general law, and inspect all buildings, lands and places as to their condition for health, cleanliness and safety, and when necessary, prevent their use and

require any alteration or changes necessary to make them healthful, clean or safe;

(26) Provide and maintain charitable, educational, recreative, curative, corrective, detentive, or penal institutions, departments, functions, facilities, instrumentalities, conveniences and services;

(27) Purchase or construct, maintain and establish a correctional facility for the confinement and detention of persons who violate laws within the corporate limits of the city, or contract with the county to keep such persons in the correctional facility of the county;

(28)

(A) Enforce any ordinance, rule or regulation by fines, forfeitures and penalties, and by other actions or proceedings in any court of competent jurisdiction;

(B) Provide by ordinance for court costs in accordance with the Municipal Court Reform Act, codified at Tennessee Code Annotated, Title 16, Chapter 18, Part 3;

(29) Establish schools, determine the necessary boards, officers and teachers required therefor, and fix their compensation, purchase or otherwise acquire land for schoolhouses, playgrounds and other purposes connected with the schools, purchase or erect all necessary buildings and do all other acts necessary to establish, maintain and operate a complete educational system within the municipality;

(30) Regulate, tax, license or suppress the keeping or going at large of animals within the municipality, impound them, and in default of redemption, sell or kill them;

(31) Call elections as provided in this charter;

(32) Have and exercise all powers that now or hereafter it would be competent for this charter specifically to enumerate, as fully and completely as though these powers were specifically enumerated; and

(33) Create a design review commission, which shall have the authority to develop general guidelines and to develop procedures for the approval of the guidelines for the exterior appearance of all nonresidential property, multiple family residential property, and any entrance to nonresidential developments within the municipality; provided, that the authority is subordinate to and in no way exceeds the authority delegated to a municipal planning commission pursuant to Tennessee Code Annotated, Title 13, Chapter 4. Any property owner affected by the guidelines may appeal a decision by the design review commission to the municipality's planning commission or, if there is no planning commission, to the entire municipal legislative body.

(34) The enumeration of particular powers in this Charter is not exclusive of others, nor restrictive of general words or phrases granting powers, nor shall a grant or failure to grant power in this chapter impair a power granted in any other part of this Charter, and whether powers, objects or purposes are expressed, conjunctively or disjunctively, they shall be construed so as to permit the Town to exercise freely any one or more such powers as to any one or more such objects for any one or more such purposes.

SECTION 8. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, Chapter 35 of the Private Acts of 1993, Chapter 52 of the Private Acts of 2003, and any other acts amendatory thereto, is amended in Sections 7, 7(a), 7(b) and (7)(c) by deleting the word "city" and substituting instead the word "town".

SECTION 9. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, and any other acts amendatory thereto, is amended by deleting Section 8 in its entirety.

SECTION 10. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, and any other acts amendatory thereto, is amended by deleting Section 8(a) in its entirety.

SECTION 11. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, and any other acts amendatory thereto, is amended by deleting Section 10 in its entirety.

SECTION 12. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, and any other acts amendatory thereto, is amended by deleting Section 12 and substituting instead the following:

Section 12. That the Mayor and Aldermen shall serve without compensation, except as provided herein; that the recorder's, town marshal's and city attorney's compensation shall be fixed by the Board of Mayor and Aldermen, but the fees and commissions of the respective officers, to wit, recorder and town marshal, shall be reported and taken into account as part of their compensation.

The Board of Mayor and Aldermen shall receive for its compensation the amount set initially in this section after the municipal election to take place in the year 2012. No increase in such amount will go into effect without an affirmative vote by referendum as described in subdivisions (A) and (B) below.

(A) Subject to the provisions of this section, the Board of Mayor and Alderman is authorized upon its own initiative and upon the adoption of an ordinance by two-thirds (2/3) vote at two (2) separate meetings to call for a referendum to change the compensation rate for the Mayor and Board of Mayor and Aldermen as designated herein below. In the absence of an ordinance as described above, the citizens of the Town of Jonesborough may place the subject of a change in the level of compensation for the Board of Mayor and Aldermen on a referendum ballot as designated herein below.

(B) Upon receipt of an ordinance calling for a referendum or of a petition referencing this section and setting it out verbatim, and containing the signature of ten percent (10%) of the voters in the last mayoral election in the Town of Jonesborough, the County Election Commission shall hold an election on the question providing options to vote "for" or "against" the referendum for a change in the compensation for the Board of Mayor and Aldermen as provided in this

Charter, and a majority vote of those voting in the election shall determine whether the ordinance is to be operative. Any such election is to be held in conjunction with the next regularly scheduled municipal election of the Town of Jonesborough. The ordinance is to be operative. Any such election is to be held in conjunction with the next regularly scheduled municipal election of the Town of Jonesborough.

(C) If the majority vote is for the referendum, it shall be deemed to be operative on the date the County Election Commission makes its official canvas of the election returns and certifies the same.

Initial amounts of compensation are as follows:

(i) One hundred dollars (\$100) per month for attendance at one (1) board meeting, and one (1) committee meeting.

(ii) Two hundred dollars (\$200) per month for attendance at one (1) regular board meeting and two (2) or more committee meetings.

Qualifying committee meetings shall be determined by ordinance.

No board member shall enter into a contract with the town. Nor shall a board member allow any company or entity in which the board member owns or has a controlling interest in to enter into a contract with the town without following normal purchasing procedures; with such ownership or controlling interest to be reported to the Board of Mayor and Aldermen and spread upon the minutes of a regular or called Board meeting. The Board of Mayor and Aldermen must adopt an ethics policy to determine what gifts or meals can be accepted by members of the Board of Mayor and Aldermen from the town or otherwise.

Members of the Board of Mayor and Aldermen may receive the health insurance benefits a full-time Town employee receives if they pay the entire premium themselves and if such health insurance is approved each year during the budget process by the Board of Mayor and Aldermen.

SECTION 13. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, Chapter 9 of the Private Acts of 1999, and any other acts amendatory thereto, is amended by adding the following language after Section 14:

Section 14(a). In the event of a tie in the election of either the Mayor or Aldermen, the two (2) incumbent Aldermen and the Alderman with the highest vote count at the recent election shall constitute a panel of three (3) members to vote to break the tie in either the Mayor's election or another Alderman's election. Such votes shall be certified by the panel and the town recorder to the County Election Commission to allow election results to be certified.

Section 14(b).

(1) Any elected official of the Town of Jonesborough who seeks to run for a Town or County elected office or a seat in the Tennessee Legislature shall be required to resign their position with the Town prior to qualifying for the election to such position, with the exception of any current elected position they hold with the Town and for which they are seeking reelection.

(2) Any employee of the Town of Jonesborough who seeks to run for a Town elected office or a seat in the Tennessee Legislature shall resign their position with the Town prior to qualifying for the election to such position.

SECTION 14. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, and any other acts amendatory thereto, is amended by deleting Section 18 and by substituting instead the following:

Section 18. That the oath of office required herein to be taken by the Mayor and Aldermen and other officers shall be administered by an officer of the state authorized to administer oaths. The oath of office shall be as follows:

"I solemnly swear (or affirm) that I possess all the qualifications prescribed for the office (or position) of _____, as prescribed by the Charter of the Town of Jonesborough, Tennessee, and that I will support the Constitution and will obey the laws of the United States and of the State of Tennessee, that I will, in all respects, observe the provisions of the Charter and

Ordinances of the Town of Jonesborough, and that I will faithfully discharge the duties of the office (or position) of_____."

SECTION 15. Chapter 135 of the Acts of 1903, as amended by Chapter 24 of the Private Acts of 1983, and any other acts amendatory thereto, is amended by deleting Section 20 in its entirety.

SECTION 16. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 17. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the Town of Jonesborough within one hundred twenty (120) days of its signing by the Governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the Town of Jonesborough and certified to the secretary of state.

SECTION 18. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 17.